

# 28780

**VOLUNTARY AGREEMENT CONCERNING ISSUANCE  
OF LICENSE FOR SALE OF ALCOHOLIC BEVERAGES**

APR 24 2003

**THIS AGREEMENT**, made and entered into this 20th day of April, 2003, by and between Cafe Dallul, trading as Rendez-vous Restaurant and Lounge (hereinafter the "Applicant") and the Kalorama Citizens Association (hereinafter the "Protestants") witnesses:

**Whereas** Applicant has filed an application (#28780) with the District of Columbia Alcoholic Beverage Control Board (hereinafter the "Board") for the renewal of a class "CR" License for the premises known as Rendez-vous Restaurant and Lounge, located at 2226 18th Street, NW, Washington, DC.

**Whereas** Protestants have filed before the Board protests opposing the granting of this renewal.

**Whereas** in recognition of the Board's policy of encouraging parties to a protested proceeding to settle their differences by reaching voluntary agreements, the Parties hereto desire to enter into a voluntary agreement whereby (1) Applicant will agree to adopt certain measures to address the Protestants' concerns and to include this agreement as a formal condition of its application, and (2) Protestants will agree to the issuance of the renewal of the license and withdrawal of the Protest, *provided* that such agreement is incorporated into the Board's order renewing the license, which order is thereby conditioned upon compliance with such agreement.

**Whereas** Applicant has recently taken or intends to take certain measures designed to ameliorate Protestants' concerns.

**Now therefore**, in consideration of the mutual covenants and undertakings memorialized herein, the Parties agree as follows:

1. Hours. The hours of operation shall be:

Inside: Sunday through Thursday: 6:00 pm until 2:00 am  
Friday and Saturday: 6:00 until 3:00 am

Sidewalk Cafe/Summer Garden:

Sunday through Thursday: starting at 6:pm -- Sidewalk Cafe seating will stop at 11:30 pm and the space will be cleared at midnight.  
Friday and Saturday: starting at 6:00 pm -- seating will stop at 12:30 am and the space will be cleared by 1:00 am.

2. Seating. Seating capacity will not exceed:

Interior tables and bar: 40 total, first and second floors

Sidewalk Cafe/Summer Garden: 8

(Please indicate by floor, if more than one floor will have seating).

3. Noise/Music/Dancing. Applicant acknowledges familiarity with and will comply with noise-control provisions of District of Columbia law and regulations, including preventing emissions of sound, capable of being heard outside the premises, by any musical instrument or amplification device or other device or source of sound or noise, in accordance with Title 25, Section 725. The doors and windows of the premises will be kept closed at all times during business hours when music is being played or a sound amplification device is being employed in the premises, except when persons are in the act of using the door for ingress to or egress from the premises. There shall be no music played on the roof.

4. Trash/Garbage/Rodents. Applicant shall maintain regular trash/garbage removal service, regularly remove trash from the trash and dumpster area, and see that the trash and dumpster area remain clean. Applicant shall deposit trash and garbage only in rodent-proof dumpsters, and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed. Applicant will make every reasonable effort to eliminate food sources for rodents to help eliminate the rat population. Applicant will recycle the following items as per DC Law 7-226: cardboard, glass and cans.

Applicant shall provide for the proper removal of grease and fatty oils from the establishment and will not deposit grease or fatty oils in the dumpster.

5. Exterior including Public Space. (a) Applicant shall assist in the maintenance of the alleyway and the space in front of the establishment to at least 18 inches outward from the curb as needed to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable DC laws and regulations in these respects. Applicant shall make every reasonable effort to prevent or disperse loitering or any other source of noise or disturbance in the areas in front or to the rear of the premises during business hours and at closing, and to encourage patrons to leave those areas at closing.

6. Items specific to establishment. Applicant agrees to not place any loudspeakers outside the establishment and to direct any speakers inside the establishment so that the sound is projected inward.

7. Bar/Pub Crawls. Applicant agrees not to promote or participate in bar or pub "crawls" or "tours", or any other similar event.

8. Consideration. Applicant will encourage employees and patrons to be considerate of neighboring residents at all times. Applicant will encourage employees leaving the establishment to keep conversations and noise to a minimum from 11:00 PM to 7:00 AM.

9. Modification. This agreement can be modified only by the ABC Board or the mutual agreement of all the parties with the approval of the ABC Board.

10. Regulations. In addition to the foregoing, Applicant will operate in compliance


with all applicable laws and regulations.


11. Withdrawal of Protests. Protestants agree to the issuance of the renewal of the license and withdrawal of their Protest, *provided* that this Voluntary Agreement is incorporated into the Board's order renewing the license, which order is thereby conditioned upon compliance with such Voluntary Agreement.

12. Availability of Voluntary Agreement. Applicant agrees to keep available at all times a copy of this agreement at his establishment and to familiarize all his employees with its conditions.

APPLICANT:

PROTESTANTS

  
\_\_\_\_\_  
By: Belameesh Kebede  
Treasurer  
Date: 4/20/03

  
\_\_\_\_\_  
Kalorama Citizens Association  
By: DENIS T. E. JAMES, ABC LICENSING  
CHAIRMAN FOR KALORAMA CITIZENS ASSOCIATION  
Date: APRIL 20, 2003

**BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**In the Matter of:**

Café Dallul, Inc.

t/a Rendezvous Restaurant

Retailer's Class CR License (renewal)

at premises

2226 18<sup>th</sup> Street, N.W.

Washington, D.C.

Application no. 28780-02/078P

2003-38

Denis I.E. James, on behalf of the Kalorama Citizens Association, Protestant

Belamesh Kebede, Treasurer, on behalf of the Applicant

**BEFORE:** Roderic L. Woodson, Esquire, Chair 1/

Vera Abbott, Member

Charles Burger, Member

Laurie Collins, Member

Judy Moy, Member

Ellen Oppen-Weiner, Esquire, Member

Audrey Thompson, Member

**ORDER ON VOLUNTARY AGREEMENT**

The matter, having been protested, came before the Board on May 22, 2002 in accordance with the D.C. Official Code Title 25, Section 601 (2000 Edition). Denis I.E. James, on behalf of the Kalorama Citizens Association, filed timely opposition.

The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing and has been properly executed and filed with the Board. Pursuant to the agreement, dated April 20, 2003, the protestant has agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

1/ Roderic L. Woodson is no longer a member of the Board.

Café Dallul, Inc.  
t/a Rendezvous Restaurant  
Case no. 28780-02/078P  
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Accordingly, it is this 14<sup>th</sup> day of May 2003, **ORDERED** that:

1. The opposition of Denis I.E. James, on behalf of the Kalorama Citizens Association, is **WITHDRAWN**;
2. The application of Café Dallul, Inc. t/a Rendezvous Restaurant for a retailer's class CR license (renewal) at 2226 18<sup>th</sup> Street, N.W., Washington, D.C. is **GRANTED**;
3. The above-referenced agreement and the accompanying security plan as revised by the Board, is **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Protestant and the Applicant.

District of Columbia  
Alcoholic Beverage Control Board

Charles Burger  
Charles Burger, Acting Chairperson

Vera Abbott  
Vera Abbott, Member

Laurie Collins  
Laurie Collins, Member

Judy D. Moy  
Judy Moy, Member

Ellen Oppenheimer  
Ellen Oppenheimer, Esquire, Member

Audrey E. Thompson  
Audrey E. Thompson, Member